

# KING & SPALDING LLP

191 Peachtree Street  
Atlanta, Georgia 30303-1763  
Telephone: 404/572-4600  
Facsimile: 404/572-5100  
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## FAX TRANSMITTAL SHEET

February 27, 2004

TO: Commissioner for Patents

Company:

United States Patent Office

Appln. No. 10/074,745

Fax #: 703-872-9306

City/State:

Alexandria, VA

Tel. #:

FROM: Madeline I. Johnston, Esq. 5833

Our Ref. #:

10416.105012

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### Notes/Comments:

Enclosed is a Notice Pursuant to MPEP Section 2001.06(C) (2 pp.).

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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/074,745 Confirmation No. 2759  
Applicant : Schultz *et al.*  
Filed : February 11, 2002  
Title : Combinatorial Synthesis and Screening of Non-Biological  
Polymers  
TC/A.U. : 1639  
Examiner : Jon Epperson  
Docket No. : 10416.105012  
Customer No. : 20786

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE PURSUANT TO MPEP SECTION 2001.06(C)  
TO THE COMMISSIONER FOR PATENTS

Sir:

In accordance with MPEP Section 2001.06(c), Applicants hereby bring to the attention of the U.S. Patent and Trademark Office the existence of pending litigation involving the following patents (collectively, the "Patents-in-Suit"):

- U.S. Patent No. 5,985,356 (the '356 Patent), issued November 16, 1999 from U.S. Application Serial No. 08/327,513 filed October 18, 1994.
- U.S. Patent No. 6,004,617 (the '617 Patent), issued December 21, 1999 from U.S. Application Serial No. 08/480,007 filed June 7, 1995, which is a divisional application of Serial No. 08/438,043 filed May 8, 1995 (now issued as U.S. Patent No. 5,776,359), which itself is a continuation-in-part application of Serial No. 08/327,513 filed October 18, 1994 (now issued as the '356 Patent).

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence and documents referred to therein is being facsimile transmitted to the Commissioner of Patents, Alexandria, VA, Facsimile number (703) 872-9306, on Feb. 27, 2004.

BY:   
Tisha Hardrick

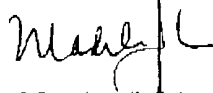
Appln. No. 10/074,745  
**NOTICE PURSUANT TO MPEP SECTION 2001.06(C)**  
**TO THE COMMISSIONER FOR PATENTS**  
February 27, 2004  
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- U.S. Patent No. 6,649,413 (the '413 Patent), issued November 18, 2003 from U.S. Application Serial No. 09/728,201 filed November 28, 2000, which is a divisional application of Serial No 09/127,660 filed July 31, 1998 (now issued as U.S. Patent No. 6,420,179), which itself is a divisional application of Serial No. 08/327,513 filed October 18, 1994 (now issued as the '356 Patent).

The instant application, above-referenced U.S. Application Serial No. 10/074,745 filed February 11, 2002 is a continuation application of Serial No. 09/127,195 filed July 31, 1998 (now issued as U.S. Patent 6,346,290) which itself is a divisional application of Serial No. 08/327,513 filed October 18, 1994 (now issued as the '356 Patent).

The aforesaid litigation was filed January 23, 2004, in the United States District Court for the Northern District of California (Civil Action No. C04 00321 PVT) alleging infringement of the aforementioned Patents-in-Suit and other patents.

Respectfully submitted,



Madeline J. Johnston  
Reg. No. 36,174

Date: February 27, 2004  
KING & SPALDING, LLP  
191 Peachtree Street  
Atlanta, Georgia 30303  
404-572-4720 (Telephone)  
404-572-5145 (Facsimile)

3425743